



Paper 14

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DEC 15 2005

OFFICE OF PETITIONS

ON PETITION

In re Application of
Pierre M. Ham et al.
Application No. 09/522,118
Filed: March 9, 2000
Attorney Docket No. WEAT/0382

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This is a decision on the petition filed April 19, 2004 to withdraw the holding of abandonment under 37 CFR 1.181.

The petition under 37 CFR 1.181 is **GRANTED**.

This application became abandoned October 15, 2003 for failure to file a timely response to the Final Office Action mailed July 11, 2003. Accordingly, a Notice of Abandonment was mailed March 23, 2004.

Petitioner claims that the Office Action mailed July 11, 2003 was never received. Petitioners have provided a copy of the docket records for this specific application, wherein receipt of the Final Office Action, mailed July 11, 2003, would have been filed, had it been received.

A review of the file reveals however that a power of attorney and address change was filed on March 31, 2003, that the revocation and new power of attorney were acknowledged but that the address information was not updated prior to the mailing of the Final Office Action on July 11, 2003. Thus, the Final Office Action was mailed to the wrong address and as petitioners claim, not received.

In view of the above, no petition fees are due and none have been charged.

The Notice of Abandonment is withdrawn and the file is being forwarded to Technology Center 1764 for the re-mailing of the Final Office Action originally mailed on July 11, 2003. Telephone inquiries concerning the re-mailing of the Office Action should be referred to the Technology Center. All other inquiries regarding this decision may be directed to the undersigned Petitions Attorney at (571) 272-3212.

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Patricia Faison-Ball

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